

## UNITED STATES DISTRICT COURT

for the  
District of Minnesota

UNITED STATES OF AMERICA

v.

Case No.

17-MJ-531

HB

- 1) JORGE ARMANDO GONZALEZ,
- 2) MARCO ANTONIO GONZALEZ-AGUILAR and
- 3) ADRIAN GARCIA-HERNANDEZ

## CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about June 20, 2017, in Anoka County, in the State and District of Minnesota, defendant(s)


knowingly conspired to possess with intent to distribute 500 grams or more of a mixture and substance containing methamphetamine and approximately 1.1 kilogram of cocaine, both controlled substances,

in violation of Title 21, United States Code, Section(s) 841(a)(1), 841(b)(1)(A) and 846.

I further state that I am a(n) Task Force Officer and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

  
Complainant's signature

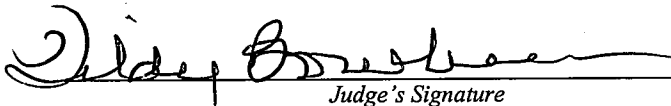
Benjamin Jorgenson, Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

6/21/2017

City and State: St. Paul, MN  
Judge's Signature

Hildy Bowbeer, U.S. Magistrate Judge

Printed Name and Title

SCANNED

JUN 21 2017

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF RAMSEY )

17-MJ-531 HB  
AFFIDAVIT OF BENJAMIN JORGENSON

I, Benjamin Jorgenson, being duly sworn, state the following:

1. I am a Task Force Officer with the Homeland Security Investigations at Fort Snelling, Minnesota. I have been a federal law enforcement officer since August of 1998. I have participated in numerous investigations relating to the distribution of controlled substances. I have received specialized training in the investigation of controlled substance offenses.

2. I make this affidavit in support of a criminal complaint and arrest warrant charging Jorge Armando GONZALEZ, Marco Antonio GONZALEZ-Aguilar, and Adrian GARCIA-Hernandez, with conspiracy to possess with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and approximately 1.1 kilograms of cocaine, both controlled substances, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846.

3. The facts and information contained in this affidavit are based upon my personal knowledge and observations of other officers and agents involved in the investigation. All observations referenced below that were not personally made by me were related to me by the persons who made such observations. This affidavit contains information necessary to support probable cause for this complaint. It is not intended to include each and every fact and matter observed by me or known to the government.

4. On June 15, 2017, the New Mexico State Police (NMSP) conducted a routine inspection of a commercial semi-truck car hauler. NMSP noticed incomplete information on the paperwork for a 2007 Dodge Charger (hereinafter "Dodge Charger") being carried by the semi-truck. During a consent search, NMSP discovered approximately 9 pounds of suspected methamphetamine and approximately 1.1 kilograms of suspected cocaine concealed in the spare tire in the trunk of the Dodge Charger. The substances were tested by law enforcement in New Mexico and determined to be methamphetamine and cocaine.

5. Homeland Security Investigations (HSI) in Albuquerque, working with the NMSP, seized the narcotics and made arrangements for a controlled delivery of the Dodge Charger in Minnesota.

6. On June 20, 2017, the driver of the semi-truck car hauler met with law enforcement in Minnesota and made contact with the intended recipient of the Dodge Charger in Minnesota. The intended recipient agreed to take delivery at a Home Depot in Minneapolis, Minnesota.

7. In anticipation of the controlled delivery, law enforcement in Minnesota placed a substituted similar spare tire in the trunk of the Dodge Charger to represent the original spare tire which was destroyed by law enforcement in the process of removing and seizing the above described narcotics. The seized methamphetamine and cocaine were then held as evidence and not placed in the substituted spare tire for public safety reasons.

8. After a short period of time, Jorge Armando GONZALEZ, Marco Antonio GONZALEZ-Aguilar, and Adrian GARCIA-Hernandez arrived at the Home Depot in a

BMW X5. Adrian GARCIA-Hernandez took possession of the Dodge Charger and both vehicles left in tandem.

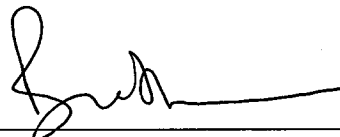
9. Law Enforcement followed both vehicles as they drove directly to 4639 Jefferson Street NE, in Columbia Heights, Minnesota, where the Dodge Charger was parked in the driveway in front of the detached garage.

10. Soon after arriving at the residence the BMW X5, occupied by Jorge GONZALEZ and Marco GONZALEZ-Aguilar, made two "heat runs" from the residence, driving several miles from the home in each direction with no apparent purpose, driving around several city blocks, and looking behind them extensively. The law enforcement officers present believed that the occupants of the BMW were using this technique to determine if they were being followed by law enforcement.

11. After the second "heat run", the BMW again returned to 4639 Jefferson Street NE, where Jorge GONZALEZ and Marco GONZALEZ exited the vehicle and met with Adrian GARCIA in the driveway of the residence. Law enforcement saw that the trunk of the Dodge Charger was then opened and all three men were standing around the open garage door where it appeared that some type of physical work was being performed.

12. Believing that the three men were in the process of attempting to disassemble the spare tire to access the expected concealed narcotics, law enforcement approached the garage and took all three men into custody in the driveway of the residence. At the time of their arrest, the three men were standing around the spare tire in the process of cutting open the spare tire with several tools and a knife.

13. Based on the foregoing, there is probable cause to believe that on or about June 20, 2017, in Anoka County, Minnesota, in the State and District of Minnesota and elsewhere, Jorge Armando GONZALEZ, Marco Antonio GONZALEZ-Aguilar, and Adrian GARCIA-Hernandez knowingly conspired to possess with the intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and approximately 1.1 kilograms of cocaine, both controlled substances, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 846.



Benjamin Jorgenson  
Task Force Officer  
Homeland Security Investigations

SUBSCRIBED and SWORN to before

me this 21<sup>st</sup> day of June, 2017.



Hildy Bowbeer  
United States Magistrate Judge